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**CENTRAL FAX CENTER****JAN 31 2007****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicants:** Chudzik et al.**Conf. No.:** 4946**Serial No.:** 10/710,947**Art Unit:** 2858**Filing Date:** 08/13/2004**Examiner:** He, Amy**Title:** METHOD FOR THE DETER-  
MINATION OF FILM CONTINUITY  
IN THIN DIELECTRIC FILM**Docket No.:** FIS920040092US2  
(IBMF-0066)Refund Ref:  
08/13/2007

0030044571

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**PETITION TO WITHDRAW HOLDING OF****ABANDONMENT UNDER 37 C.F.R. § 1.181(a)****ALTERNATIVELY, PETITION TO REVIVE UNINTENTIONALLY ABANDONED****APPLICATION UNDER 37 C.F.R. § 1.137(b)**

Sir:

This Petition is being filed subsequent to the Notice of Abandonment  
mailed January 9, 2007.

**A) Petition to Withdraw Holding of Abandonment:**

Applicants submit that the Notice of Abandonment citing Applicants'  
alleged failure to timely file a proper reply to the Office Action mailed on May 23,  
2006 is improper, and respectfully submit:

- 1) On August 21, 2006, Applicants filed, via facsimile, an Amendment in  
response to the Office Action.

Adjustment dates: 09/10/2007 CKHLOK  
09/10/2007 TL0111 00000031 10710947  
-1500.00 DP

02/01/2007 TL0111 00000031 10710947

01 FC:1453

1500.00 DP

10/710947

1

Respectfully submitted,

/Spencer K. Warnick/

Spencer K. Warnick  
Reg. No.: 40,398

Date: March 14, 2007

Hoffman, Warnick & D'Alessandro LLC  
75 State Street, 14<sup>th</sup> Floor  
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(518) 449-0044  
(518) 449-0047 (fax)

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND										
1 Date of Request: _____		2 Serial/Patent # <u>10/710947</u>								
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT						
	Filing			\$						
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	Extension of Time			\$						
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<input checked="" type="checkbox"/>	Petition			\$ <u>1500</u>						
	Issue			\$						
	Cert of Correction/Terminal Disc.			\$						
	Maintenance			\$						
	Assignment			\$						
	Other			\$						
<div style="border: 1px solid black; height: 40px; width: 100%;"></div>		7 TOTAL AMOUNT OF REFUND		\$						
		8 TO BE REFUNDED BY: <u>Credit and</u>								
10 REASON:		Treasury Check								
	Overpayment	Credit Deposit A/C #:								
	Duplicate Payment	9 <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;">--</td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table>					--			
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<input checked="" type="checkbox"/>	No Fee Due (Explanation):									
<u>Per 1376 not necessary</u>										
11 REFUND REQUESTED BY:										
TYPED/PRINTED NAME: <u>Gilson</u>		TITLE: <u>ATTY</u>								
SIGNATURE: <u>[Signature]</u>		PHONE: <u>23214</u>								
OFFICE: <u>90P</u>										
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APPROVED: <u>[Signature]</u>		DATE: <u>9/10/07</u>								

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